

**TOWN OF POLK
TOWN BOARD MEETING MINUTES
SEPTEMBER 8, 2009**

I. Call meeting to Order at 7:30 p.m.

A. The Pledge of Allegiance - Chairman Schulteis began with the Pledge of Allegiance.

B. Official Meeting Notice - Chairman A. Schulteis called the meeting to order at 7:30 p.m.. Chairman Schulteis verified notice was sent to the West Bend News, Hartford Times Press, WBKV, WTKM, Milwaukee Journal Sentinel and posted on the website and at the Town Hall, Highway View School and Cedar Lake Hills bulletin boards.

C. Roll Call - Members present: Chairman A. Schulteis, Supervisor H. Groth, Supervisor T. Merten, Treasurer S. Kissinger and Clerk C. Whelan. See lists of guests. (Page #).

D. Approval of the Town Board Minutes for August 11, 2009 and Special Town Board Minutes for August 26, 2009, and September 1, 2009 -

Motion made by Supervisor H. Groth to approve the Town Board minutes for August 11, 2009, Special Town Board minutes for August 26, 2009 and September 1, 2009, seconded by Supervisor T. Merten. Motion Carried.

E. Public Presentation (15 Minutes) - Chairman A. Schulteis opened the meeting for public input allowing three minutes per person.

Jeff Gonyo - 2668 Hwy. 164 - urged the Town Board to consider the recommendations he had turned in at the Public Hearing for the Comprehensive Plan. Mr. Gonyo asked for no more highway expansion, to keep the Town Roads two lanes, to disclose the Thresher Findings of Ackerville in the Comprehensive Plan. Also the Town Board should note that there is pending litigation between him and the Town of Richfield. Mr. Gonyo has concerns about the definition of mixed use on the property on Pioneer Road. It is inconsistent with the definition of mix use.

Michael Fuerst - 4540 Pioneer Road -opposes the change on the Walter Becker property located on Pioneer Road as mixed use in the Comprehensive Plan 2035. Mixed use would not allow the land to be divided as agricultural residential lots. He would not like a business next to him.

Al Wilhelmi - 2768 Slinger Road - remarked that the Walter Becker property if it becomes business then the Village of Richfield will grab it, so leave it agricultural residential or a subdivision.

Willard Heppe - 3156 Sherman Road - commented the Town has worked on the Comprehensive Plan for three years, here at the Town meetings and at monthly meetings at the

County. Mr. Heppe urged the Town Board to pass the plan as it is and not drag the process out any longer.

Jerry Becker - 4226 Pleasant Valley Road - stated the plan can be amended. When he was Chairman in Richfield, the Comprehensive Plan was something that the Town needed done to comply with the State Statues.

Chairman A. Schulteis stated the zoning does not change, it is still agricultural.

Mr. Gonyo stated, in the Smart Growth Plan, if it is marked as mixed use, it prevents someone from putting a home on the property. It's a barrier for someone wanting to buy the property and put two or three homes on the property. This would be a better use of the land then business.

Chairman Schulteis asked for an opinion from Nancy Anderson, Southeastern Regional Planning.

Nancy Anderson stated Mr. Gonyo is correct in stating someone wanting to develop it for residential use, because it is shown as mixed use on the plan, the residential use would be inconsistent with the commercial use. First in order for someone to put a home there, they would have to amend the land use plan and change the designation from mixed use to agricultural. They can continue the agriculture use at the property but if they wish to develop the property and put home on the property they would have to take off the mixed use designation on the land use plan.

Chairman Schulteis asked with our five-acre residential agriculture why can't a home be built on it if our zoning shows agricultural and our Comprehensive Plan shows mixed use.

Nancy Anderson stated because in the land use plan, the future use is shown as mixed use commercial.

Willard Heppe, former Town Chairman, stated that nine out of ten people that called wanted to purchase the property for business use.

With no more questions Chairman Schulteis closed the public presentation portion of the meeting.

II. Unfinished Business -Discussion/Possible Action on the Following - None

III. New Business - Discussion/Possible Action on the Following:

A. Operators' Licenses. See List - See List - (See page #) Clerk Whelan reported all investigations show no criminal records. Applicants Cassandra Nierode, Amber Rindt have schooling and Kayla Kruepke still needs to complete the schooling. All applicants have paid the \$20 fees for an operator license and \$7.00 for investigation.

Motion was made by Supervisor T. Merten and seconded by Supervisor H. Groth to approve the operator license for all on the list, contingent upon completion of schooling. Motion carried.

B. Application for Business Use by Michael Brue d/b/a Brue's Brothers, LLC to operate a portable welding and fabrication business to be located at 2623 Hwy 175, Richfield.

Section 35 Zoned M-1 Industrial -Chairman Schulteis stated Michael Brue asked to be taken off the agenda. No action needed.

C. Final CSM for Mary Alice Karius-Becker, 4226 Pleasant Valley Rd., West Bend, for two 10 acre lots out of a 28.35 acre parcel. Tax key T9-0087-00Z. Section 4, Zoned A-1 Agriculture -

Motion was made by Supervisor T. Merten to approve the Certified Survey Map, for two 10 acre lots owned by Mary Alice Karius-Becker. Motion was seconded by Supervisor H. Groth. Motion Carried.

D. Town of Polk Multi-Jurisdictional Comprehensive Plan - Chairman A. Schulteis remarked after the Public Hearing on the Comprehensive Plan we received a full report of the comments received by Nancy Anderson from SEWRPC.

Motion was made by Supervisor T. Merten to approve the Comprehensive Plan as written, seconded by Supervisor H. Groth. Motion carried.

E. Resolution 09-05 Approving the Town of Polk Plan Commission Resolution Approving Town Comprehensive Plan 2035 -

Motion was made by Supervisor T. Merten to approve the Plan Commission's Resolution 09-05 approving the Town of Polk Comprehensive Plan 2035, seconded by Supervisor H. Groth. Motion carried.

F. Presentation by Cedar Springs Church, 3128 Slinger Rd., Slinger, regarding the Family Promise of Washington County Day Center -Chairman A. Schulteis stated Cedar Springs Church presented the plans for Family Promise of Washington County Day Center at the Plan Commission, no action needs to be taken.

G. Zoning Violations - Clerk Whelan advised our Police Officer issued one Ordinance Violation Notice on Birnamwood Drive for junk, certain vehicles and recreation equipment to be taken care of within 30 days.

H. Ordinance 09-07 Adopting the Comprehensive Plan for the Town of Polk, Wisconsin -

Motion was made by Supervisor H. Groth to approve Ordinance 09-07 Adopting the Comprehensive Plan for the Town of Polk. Motion was seconded by Supervisor T. Merten. Motion carried.

I. Resolution Requiring the Repair of an At-Grade Crossing - Chairman A. Schulteis reported that we had received a complaint about the railroad crossing on Slinger Road, Southern rail crossing. The rail crossing is collapsing on the northern side of the track. Chairman Schulteis contacted Jackie Moter from the Canadian Railroad the gentleman in charge of repairing the tracks is on vacation. Jackie Moter will contact us by next Tuesday to let us know if the track has been repaired, if not we are to send a resolution to the State Commissioner of Railroads.

Motion was made by Supervisor H. Groth to approve filing the Resolution with the Commission of Railroads to repair the Slinger Road rail road crossing, seconded by Supervisor T. Merten. Motion carried.

V. Financial

A. Treasurer's Report dated September 8, 2009 - Treasurer S. Kissinger stated she had contacted the bank regarding services charges on our account. The bank stated the charges have been refund.

Motion made by Supervisor H Groth to approve the Treasurer's Report dated September 8, 2009, seconded by Supervisor T. Merten. Motion carried.

B. Review of Revenues & Expenditures -

Motion made by Supervisor H. Groth to approve the revenues and expenditures seconded by Supervisor T. Merten. Motion carried.

C. Approval of Checks and Payroll -

Motion was made by Supervisor T. Merten to approve the checks and payroll, seconded by Supervisor H. Groth. Motion Carried.

VI. Other Business

A. Correspondence to be Review - None

B. Chairman's Report, Correspondence and Notices - Chairman Schulteis reported Life Star sent us a contract today to be considered on the next agenda.

The road striping project is near completion. We had a number of small asphaltting repair jobs that have been started. The County changed the culverts on Hillside Road, Arthur Road and cleaned a number of ditches out and will change the culvert on Hillside Road and Janz Drive tomorrow. Tomorrow we will be receiving 400 tons of salt.

Chairman Schulteis was notified that there was to be a kick boxing event at Washington County

Fair Park. He called Sandy Lang from the Washington County Fair Park, she advised the promoter stated he has contacted the Town and as a permit. Chairman Schulteis advised her no permits have been issued we have an ordinance against such events.

We also received a notice from Prevention Net Work of Washington County. We were invited to their annual meeting. Their aim is to prevent use substance abuse.

C. Fire Department Report - Jackson Fire Report - July 2009 - There was one call on Hwy. P and Hwy. 145 the truck brakes were hot. All was taken care of before the Fire Department arrived.

D. Road Matters - Discussion & Possible Action on Road Matters - Chairman Schulteis stated he contacted Stark Asphalt for estimates for road repair for the 2010 budget.

VII. Adjournment -

Motion was made by Supervisor T. Merten, seconded by Supervisor H. Groth to adjourn at 7:59 p.m. Motion carried.

Respectfully Submitted,

Catherine Whelan
Town Clerk